



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

08 CR. 0660 (VM)

- against - :

ORDER

KAREEM HOLMES, :

Defendant. :

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VICTOR MARRERO, United States District Judge.

The Defendant (see attached letter) requests that the next conference, scheduled for August 7, 2008 at 2:30 p.m., be postponed for thirty days. The parties are directed to appear before the Court for a status conference on September 12, 2008 at 2:45 p.m.

All parties to this action consent to an exclusion of the adjourned time from the Speedy Trial Act until September 12, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED:

Dated: New York, New York
6 August 2008

A handwritten signature in black ink, appearing to read "Victor Marrero".

Victor Marrero
U.S.D.J.

Federal Defenders OF NEW YORK, INC.

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John J. Byrnes
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August 6, 2008

BY HAND

Honorable Judge Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Holmes
08 Cr. 660 (VM)

Hon. Judge Marrero:

I write to request that the Court adjourn the status conference on the above matter for 30 days. I make this request because Mr. Holmes is in state custody trying to resolve an open matter and unfortunately because his state attorney is on vacation, the resolution is taking longer. It took quite sometime for Mr. Holmes to be writed to state court from the BOP, and if he were brought here for the status conference, it would be another two weeks before he could return to state custody.

I have spoken to AUSA Apps and she has no objection to this request. To that end, we request that the time between August 7, 2008 and the next date set by the Court, be excluded under the Speedy Trial Act, pursuant to Title 18, United States Code, section 3161(h)(8)(A). Excluding time will best serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial, because it will allow the government and defense counsel to continue discussions regarding a possible disposition in the matter. Thank you.

Respectfully submitted,



Sabrina P. Shroff